

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

RIP INVESTMENTS, LP, VILLAGE HOOK,  
LLC, as General Partner, SIDNEY KIMMEL  
REVOCABLE TRUST DATED MAY 17, 2001,  
and SIDNEY KIMMEL, Individually and as  
Trustee,

Defendants.

Adv. Pro. No. 10-05289 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF ADVERSARY  
PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and

defendants, RIP Investments, LP, Sidney Kimmel Revocable Trust dated May 17, 2001, Sidney Kimmel, individually and as trustee, and Village Hook, LLC (collectively, “Defendants,” and with the Trustee, the “Parties”), by and through their counsel Frejka PLLC, hereby stipulate and agree to the following:

1. On December 7, 2010, the Trustee commenced this adversary proceeding against Defendants.

2. On January 17, 2014, the Defendants filed their Answer to the Complaint.

3. On December 14, 2015, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181] (the “Settlement Agreement”).

4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 6, 2016

**BAKER & HOSTETLER LLP**

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Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Estate of Bernard L. Madoff*

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*Attorneys for Defendants*

SO ORDERED

Dated: January 6, 2016

/s/Stuart M. Bernstein  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE